

House Bill 1050

By: Representatives Ashe of the 56<sup>th</sup>, Porter of the 143<sup>rd</sup>, Jamieson of the 28<sup>th</sup>, Smyre of the 132<sup>nd</sup>, Hugley of the 133<sup>rd</sup>, and others

A BILL TO BE ENTITLED

AN ACT

To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," so as to require that the Quality Basic Education Formula is fully funded by the General Assembly; to revise provisions for purposes of conformity; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," is amended by revising subsection (a) of Code Section 20-2-161, relating to the Quality Basic Education Formula, as follows:

"(a) The high school general education program is declared to be the base program against which the cost of all other instructional programs shall be compared. The amount of funds needed by each full-time equivalent student in the base program, in order that such program can be sufficiently funded to provide quality basic education to all enrolled students, shall be known as the 'base amount' and shall reflect program components which constitute the program weight for the high school general education program in Code Sections 20-2-182 through 20-2-186. ~~However, the~~ The General Assembly shall annually establish through the General Appropriations Act the base amount to be used each year. ~~In the event that the~~ The base amount so established when multiplied by the program weights in subsection (b) of this Code section ~~requires funds in excess of the appropriation for the Quality Basic Education Formula grants, the~~ shall be the amount of funds which are appropriated for the Quality Basic Education Formula by the General Assembly ~~shall be prorated to each of the~~ Quality Basic Education Formula cost categories."

**SECTION 2.**

Said article is further amended by revising Code Section 20-2-156, relating to the program for limited-English-proficient students, as follows:

"20-2-156.

The State Board of Education shall create a program for limited-English-proficient students whose native language is not English, ~~subject to appropriation by the General Assembly.~~

The purpose of this program is to assist such students to develop proficiency in the English language, including listening, speaking, reading, and writing, sufficient to perform effectively at the currently assigned grade level. The state board shall prescribe such rules and regulations regarding eligibility criteria and standards as may be needed to carry out the provisions of this Code section. This program may also be referred to as the English for speakers of other languages (ESOL) program."

**SECTION 3.**

Said article is further amended by revising subsections (a), (b), (g), and (h) of Code Section 20-2-182, relating to program weights to reflect funds for payment of salaries and benefits, as follows:

"(a) The program weights, when multiplied by the base amount, shall reflect sufficient funds to pay at least the beginning salaries of all teachers needed to provide essential classroom instruction in order to ensure a Quality Basic Education Program for all enrolled students, ~~subject to appropriation by the General Assembly.~~

(b) The program weights for the primary, primary grades early intervention, upper elementary, upper elementary grades early intervention, middle grades, and middle school programs, when multiplied by the base amount, shall reflect sufficient funds to pay at least the beginning salaries of specialists qualified to teach art, music, foreign language, and physical education, ~~subject to appropriation by the General Assembly.~~"

"(g) All program weights, when multiplied by the base amount, shall reflect sufficient funds to pay the cost of sick and personal leave for teachers, the employer's portion of costs for membership in the Teachers Retirement System of Georgia and health insurance programs authorized by law, the cost of essential instructional materials and equipment needed to operate effectively such instructional programs, and the cost of travel required of personnel in order to deliver educational services to enrolled students, ~~subject to appropriation by the General Assembly.~~

(h) All program weights, when multiplied by the base amount, shall reflect, whenever they are revised pursuant to subsection (f) of Code Section 20-2-161, an amount of funds for the

1 purpose of providing staff and professional development to certificated and classified  
2 personnel and local school board members which shall be at least equivalent to 1.5 percent  
3 of salaries of all certificated professional personnel used in the development of each  
4 respective program weight, ~~subject to appropriation by the General Assembly~~. Funds used  
5 for professional or staff development purposes may be used throughout the fiscal year,  
6 including days when students are not present at school, to meet professional or staff  
7 development needs in the order of priority determined by the local board of education  
8 within the comprehensive professional and staff development program plan approved by  
9 the State Board of Education pursuant to Code Section 20-2-232. Such professional and  
10 staff development program plan shall address deficiencies of certificated personnel as  
11 identified by evaluations required under Code Section 20-2-210. Where possible,  
12 professional and staff development funds shall be used for activities that enhance the skills  
13 of certificated personnel and directly relate to student achievement. Subsequent  
14 certificated personnel evaluations shall include an assessment of an employee's  
15 professional and staff development activities and their effect on identified deficiencies and  
16 student achievement. Funds for professional development purposes may be used for  
17 activities occurring at any time during the fiscal year outside of an employee's normal  
18 contract hours."

#### 19 **SECTION 4.**

20 Said article is further amended by revising Code Section 20-2-183, relating to program  
21 weights to reflect funds for maintenance and operation of facilities, as follows:

22 "20-2-183.

23 All program weights, when multiplied by the base amount, shall reflect sufficient funds to  
24 provide for the maintenance and operation of facilities essential for housing instructional  
25 programs and essential supportive educational services, ~~subject to appropriation by the~~  
26 ~~General Assembly~~."

#### 27 **SECTION 5.**

28 Said article is further amended by revising Code Section 20-2-184, relating to program  
29 weights to reflect funds for media specialists, as follows:

30 "20-2-184.

31 All program weights, when multiplied by the base amount, shall reflect sufficient funds to  
32 pay the beginning salary for at least one media specialist for an appropriate base size school  
33 pursuant to Code Section 20-2-181 and to provide media center materials and equipment,

1 including computer hardware and software, as essential to support instructional programs  
2 authorized under Part 3 of this article; ~~subject to appropriation by the General Assembly.~~"

### 3 **SECTION 6.**

4 Said article is further amended by revising Code Section 20-2-185, relating to program  
5 weights to reflect funds for salaries for assistant principals, as follows:

6 "20-2-185.

7 All program weights, when multiplied by the base amount, shall reflect sufficient funds to  
8 pay the beginning salaries of assistant principals as well as the salaries of secretaries  
9 essential for the efficient and effective management of the instructional and supportive  
10 educational programs of an appropriate base size school pursuant to Code Section 20-2-181  
11 and to provide for the costs of operating an administrative office in the school; ~~subject to~~  
12 ~~appropriation by the General Assembly.~~

### 13 **SECTION 7.**

14 Said article is further amended by revising Code Section 20-2-186, relating to allocation of  
15 funds for local systems to pay beginning salaries of superintendents, secretaries, accountants,  
16 nurses, and certain other personnel, as follows:

17 "20-2-186.

18 (a) Funds provided under this article shall include the following for local systems to pay,  
19 on a 12 month basis, the beginning salaries of superintendents, assistant superintendents,  
20 and principals and the salaries of secretaries, accountants, and nurses; ~~subject to~~  
21 ~~appropriation by the General Assembly:~~

22 (1) Each local system shall earn, for any number of full-time equivalent students equal  
23 to or under 5,000, funds sufficient to pay the beginning salaries of a superintendent and  
24 two assistant superintendents and the salaries of a secretary and an accountant; and

25 (2) For numbers of full-time equivalent students over 5,000 and less than 10,001, funds  
26 sufficient to pay the beginning salaries of a superintendent and four assistant  
27 superintendents and the salaries of a secretary and an accountant; and

28 (3) For numbers of full-time equivalent students over 10,000, funds sufficient to pay the  
29 beginning salaries of a superintendent and eight assistant superintendents and the salaries  
30 of a secretary and an accountant; and

31 (4) Each local system shall earn funds for the 2000-2001 school year sufficient to pay  
32 the beginning salary of a principal for each school in the local school system with a  
33 principal of record for the preceding year. Thereafter, each local school system shall earn

1 funds sufficient to pay the beginning salary of a principal for each school in the local  
2 school system that reported a principal on the October certified personnel information  
3 report; provided, however, that any school which operates as a combination school,  
4 which is defined as any of the elementary grades, kindergarten through grade five,  
5 contiguous with one or more of the middle grades, grades six through eight; or as a  
6 combination school of any of the middle grades, grades six through eight, contiguous  
7 with one or more of the elementary grades or contiguous with one or more of the high  
8 school grades, grades nine through 12; or as a combination school of any of the high  
9 school grades, contiguous with one or more of the middle grades, shall earn funds  
10 sufficient to pay the beginning salary of a principal for each of the elementary, middle,  
11 or high school combinations. Beginning with the 2001-2002 school year, funds cannot  
12 be earned for more than one principal's salary for schools on the same campus sharing  
13 facilities unless the schools operate as a combination school as defined in this paragraph  
14 with separate facility codes issued by the Department of Education. A local school  
15 system shall earn funds in the midterm adjustment sufficient to pay the beginning salary  
16 of a principal for a new school, if not otherwise earning the funds, when the school has  
17 reported full-time equivalent program counts in the October count, has an approved new  
18 school facility code issued by the department, and has reported a principal on the October  
19 certified personnel information report under the new facility code. It is further provided  
20 that funds for the salary of a principal shall not be earned under this paragraph for an  
21 evening school or alternative school; and

22 (5) Each local system shall earn funds sufficient to pay for nursing services.

23 (b) All program weights, when multiplied by the base amount, shall reflect sufficient funds  
24 to pay the beginning salaries of a visiting teacher using a base size of 2,475 full-time  
25 equivalent students and for costs of operating an administrative office for the local school  
26 system and for workers' compensation and employment security payments for personnel  
27 at the central office, school, and program levels, ~~subject to appropriation by the General~~  
28 ~~Assembly~~. Further, the program weights for all special education programs pursuant to  
29 Code Section 20-2-152, when multiplied by the base amount, shall reflect sufficient funds  
30 to pay the beginning salaries of special education leadership personnel essential and  
31 necessary for the effective operation of such programs in a base size local school system.  
32 Further, the program weights for all programs, when multiplied by the base amount, shall  
33 reflect sufficient funds to pay the beginning salaries of school psychologists and  
34 psychometrists essential and necessary for the effective operation of such programs in a

1 local school system using a base size of 2,475 full-time equivalent students, ~~subject to~~  
2 ~~appropriation by the General Assembly.~~

3 (c) Notwithstanding any provision of this Code section to the contrary, no local system  
4 shall earn funds under this Code section, except for funds for nurses, accountants, visiting  
5 teachers, school psychologists, and secretaries, if the local board of education has not  
6 implemented in a failing school within the system the interventions, as defined in Code  
7 Section 20-14-41, that are prescribed by the State Board of Education."

8 **SECTION 8.**

9 All laws and parts of laws in conflict with this Act are repealed.